



BRP WP 60 Variances for Schools

Instructions and Supporting Materials

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Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



BRP WP 60 Variances for Schools

Permit Fact Sheet

1. What is the purpose of this variance?

This is necessary to ensure that the disposal of sanitary sewage utilizing a variance from the design flow for schools and/or for increased flow to a large system for a school under Title 5 of the Environmental Code, 310 CMR 15.000, will maintain a level of environmental protection that is at least equivalent to 310 CMR 15.000 without strict application of the specific provision of 310 CMR 15.000 from which the variance is sought. The purpose of Title 5 is to provide for the protection of public health, safety, welfare and the environment by requiring the proper siting construction, upgrade, and maintenance of on-site sewage disposal systems and appropriate means for the transport and disposal of septage.

You must obtain approval from DEP for flow variances from Title 5 for schools pursuant to 310 CMR 15.416.

2. Who must apply?

Any individual, business or organization owning or operating an elementary, middle or secondary school and proposing a variance to 310 CMR 15.203(5) or 15.006 pursuant to 310 CMR 15.416.

3. What other requirements should be considered when applying for this variance?

Other variances are granted by the local approving authority and/or DEP pursuant to 310 CMR 15.000. Consult the guidance for other variances under BRP WP 59b and BRP WP 59c. These other variances are not included in this category.

Note: These additional requirements are intended to serve as a guide to the applicant. They do not necessarily include all additional requirements.

4. What is the application fee?

The application fee is \$1,580.

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:
Department of Environmental Protection (2 copies)
_____ * Regional Office

Title 5 Program

*See "DEP Addresses and Phone Numbers" page included in this package.

There is no Reserve Copy Location for this variance.

6. What are the timelines?

As of March 31, 1995 the timelines are:

	AC	T1	T2*
BRP WP 60N/A	30	30	

*(A second technical review will only be conducted if necessary).

There is no public comment review period for this variance.

If DEP does not respond to the applicant by the end of the technical review period, the application shall be deemed approved. However, no action in violation of Title 5, 310 CMR 15.000 is permitted.



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Permit Fact Sheet

7. What is the annual compliance fee?

There is no annual compliance fee for this category.

8. How long is this variance in effect?

This variance remain valid as long as the system and facility served remain unchanged or until DEP revokes or modifies the variance.

9. How can I avoid the most common mistakes made in applying for this variance?

- a. Review application for completeness to be sure all questions are answered correctly.
- b. Make sure two copies of plans and specifications are complete and signed and stamped by a Massachusetts Registered Sanitarian or Professional Engineer, whichever is appropriate.
- c. Submit fee and one copy of the DEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to this variance? Where can I get copies?

These regulations include, but are not limited to:

- a. Title 5 Regulations, 310 CMR 15.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Title 5 Permitting

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Application Completeness Checklist

- ☐ The DEP Transmittal Form is completed. If the applicant is a municipality, "Fee Exempt" has been selected from among the Special Provisions under the Amount Due section of the Transmittal Form.
- ☐ A DEP application form for the permit category BRP WP 60 has been completed. The following information has been provided:
 - ☐ Name and address of applicant/owner.
 - ☐ Location (address) of facility.
 - ☐ Name, address and telephone number of design engineer or sanitarian.
 - ☐ Identification of the variance requested and the necessary documentation to support this request.
- ☐ Two (2) complete sets of plans and specifications, including a locus map, have been properly signed and stamped by a Massachusetts Registered Professional Engineer or Massachusetts Registered Sanitarian, whichever is appropriate.
- ☐ A copy of a signed approval letter from the local approving authority for the subject variance, including a list of notified abutters, has been provided.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send two copies of the application along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection

_____ * Regional Office

Title 5 Program

*See "DEP Addresses and Phone Numbers" page included in this package.

- ☐ Send fee of \$1,580 in the form of a check or money order made payable to Commonwealth of Massachusetts, along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection

P.O. Box 4062

Boston, MA 02211



Massachusetts Department of Environmental Protection

Addresses and Phone Numbers

DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149



Adams
Agawam
Alford
Amherst
Ashfield
Becket
Belchertown
Bernardston
Blandford
Brimfield
Buckland
Charlemont
Cheshire
Chester
Chesterfield
Chicopee
Clarksburg

Colrain
Conway
Cummington
Dalton
Deerfield
Easthampton
East Longmeadow
Egremont
Erving
Florida
Gill
Goshen
Granby
Granville
Great Barrington
Greenfield
Hadley

Hampden
Hancock
Hatfield
Hawley
Heath
Hinsdale
Holland
Holyoke
Huntington
Lanesborough
Lee
Lenox
Leverett
Leyden
Longmeadow
Ludlow
Middlefield

Monroe
Montague
Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
Orange
Otis
Palmer
Pelham
Peru

Pittsfield
Plainfield
Richmond
Rowe
Russell
Sandisfield
Savoy
Sheffield
Shelburne
Shutesbury
Southampton
South Hadley
Southwick
Springfield
Stockbridge
Sunderland
Tolland

Tyringham
Wales
Ware
Warwick
Washington
Wendell
Westfield
Westhampton
West Springfield
West Stockbridge
Whately
Wilbraham
Williamstown
Windsor
Worthington

DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: (508) 792-7650
Fax: (508) 792-7621
TDD: (508) 767-2788



Acton
Ashburnham
Ashby
Athol
Auburn
Ayer
Barre
Bellingham
Berlin
Blackstone
Bolton
Boxborough
Boylston
Brookfield

Charlton
Clinton
Douglas
Dudley
Dunstable
East Brookfield
Fitchburg
Gardner
Grafton
Groton
Harvard
Hardwick
Holden
Hopedale

Hopkinton
Hubbardston
Hudson
Holliston
Lancaster
Leicester
Leominster
Littleton
Lunenburg
Marlborough
Maynard
Medway
Mendon
Milford

Millbury
Millville
New Braintree
Northborough
Northbridge
North Brookfield
Oakham
Oxford
Paxton
Pepperell
Petersham
Phillipston
Princeton
Royalston

Rutland
Shirley
Shrewsbury
Southborough
Southbridge
Spencer
Sterling
Stow
Sturbridge
Sutton
Templeton
Townsend
Tyngsborough
Upton

Uxbridge
Warren
Webster
Westborough
West Boylston
West Brookfield
Westford
Westminster
Winchendon
Worcester

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: (508) 946-2700
Fax: (508) 947-6557
TDD: (508) 946-2795



Abington
Acushnet
Attleboro
Avon
Barnstable
Berkley
Bourne
Brewster
Bridgewater
Brockton
Carver
Chatham
Chilmark

Dartmouth
Dennis
Dighton
Duxbury
Eastham
East Bridgewater
Easton
Edgartown
Fairhaven
Fall River
Falmouth
Foxborough
Franklin

Freetown
Gay Head
Gosnold
Halifax
Hanover
Hanson
Harwich
Kingston
Lakeville
Mansfield
Marion
Marshfield
Mashpee

Mattapoisett
Middleborough
Nantucket
New Bedford
North Attleborough
Norton
Norwell
Oak Bluffs
Orleans
Pembroke
Plainville
Plymouth
Plympton

Provincetown
Raynham
Rehoboth
Rochester
Rockland
Sandwich
Scituate
Seekonk
Sharon
Somerset
Stoughton
Swansea
Taunton

Tisbury
Truro
Wareham
Wellfleet
West Bridgewater
Westport
West Tisbury
Whitman
Wrentham
Yarmouth

DEP Northeast Region
One Winter Street
Boston, MA 02108
Telephone: (617) 654-6500
Fax: (617) 556-1049
TDD: (617) 574-6868



Amesbury
Andover
Arlington
Ashland
Bedford
Belmont
Beverly
Billerica
Boston
Boxford
Braintree
Brookline
Burlington
Cambridge
Canton
Carlisle

Chelmsford
Chelsea
Cohasset
Concord
Danvers
Dedham
Dover
Dracut
Essex
Everett
Framingham
Georgetown
Gloucester
Groveland
Hamilton
Haverhill

Hingham
Holbrook
Hull
Ipswich
Lawrence
Lexington
Lincoln
Lowell
Lynn
Lynnfield
Malden
Manchester-By-The-Sea
Marblehead
Medfield
Medford
Melrose

Merrimac
Methuen
Middleton
Millis
Milton
Nahant
Natick
Needham
Newbury
Newburyport
Newton
Norfolk
North Andover
North Reading
Norwood
Peabody

Quincy
Randolph
Reading
Revere
Rockport
Rowley
Salem
Salisbury
Saugus
Sherborn
Somerville
Stoneham
Sudbury
Swampscott
Tewksbury
Topsfield

Wakefield
Walpole
Waltham
Watertown
Wayland
Wellesley
Wenham
West Newbury
Weston
Westwood
Weymouth
Wilmington
Winchester
Winthrop
Woburn



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Title 5 Permitting

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Variances for Schools

Transmittal Number _____

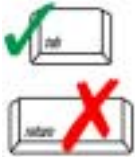
Facility ID# (if known) _____

Please read the Instructions and Supporting Materials before filling out this form.

A. General Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Name _____

Doing Business as (dba) _____

Street Address _____

City/Town _____

State _____

Zip Code _____

Telephone _____

2. Facility Address / Location (if different from Applicant):

Address _____

City/Town _____

State _____

Zip Code _____

3. System Designer Information (Registered Sanitarian [RS] or Professional Engineer [PE] for systems under 2,000 gallons per day; PE for systems 2,000 gallons or more per day)

Name/Name of Company _____

Address _____

City _____

State _____

Zip _____

Telephone _____

4. Registration:

P.E. _____

Sanitarian _____

Registration Number _____

5. Does this project require a filing under 301 CMR 11.00, the Massachusetts Environmental Policy Act?

☐ Yes ☐ No If yes, has a filing been made? ☐ Yes ☐ No

If yes, EOE File # _____



Massachusetts Department of Environmental Protection
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Variances for Schools

Transmittal Number _____

Facility ID# (if known) _____

A. General Information (continued)

6. The legal entity which owns or will own this facility is:

☐ Individual

☐ Federal

☐ Municipality

☐ State / County

☐ Private Partnership

☐ Corporation

☐ Other (specify): _____

7. Two sets of plans and specifications, including a locus map, properly stamped and signed by a Massachusetts Registered Professional Engineer or Massachusetts Registered Sanitarian, must accompany the application. The plans must be prepared in accordance with 310 CMR 15.220.

Are plans and specifications enclosed? ☐ Yes ☐ No

Have the plans been revised? ☐ Yes ☐ No

If yes, date of revision

8. This application is for a variance to (check one):

☐ System Design Flow Criteria, 310 CMR 15.203(5)

☐ Prohibition to increase flows for systems with design flows of 10,000 gallons per day (gpd) but less than 15,000 gpd, 310 CMR 15.006

9. In accordance with 310 CMR 15.416(2), the applicant must prove that the requested variance is necessary to accommodate an overriding community, regional, state, or national public interest and that a level of environmental protection at least equivalent to that provided under Title 5 can be achieved without strict application of the particular provision.

Is documentation in support of meeting this requirement attached? ☐ Yes ☐ No

10. If applying for a variance pursuant to 310 CMR 15.416(3), the applicant also must demonstrate through the use of metered maximum daily flow readings from the facility or similar facilities in the same or surrounding communities, that the daily flows will be substantially different and that the system design has accounted for any anticipated pollutant loadings and the greater concentration of pollutants resulting from reduced flows.

Is documentation in support of meeting this requirement attached? ☐ Yes ☐ No

Note: If DEP grants such a variance, it shall require a determination of design flows based on 200% of the average daily water meter readings when school is in session in order to assimilate maximum daily flows.



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Variances for Schools

Transmittal Number _____

Facility ID# (if known) _____

A. General Information (continued)

11. If applying for a variance pursuant to 310 CMR 15.416(5), the applicant also must demonstrate that there are no reasonable conditions or alternatives that would allow system expansion in compliance with the provisions of Title 5 or other applicable requirements; and, that the upgraded system with increased flow provides better protection of public health and safety and the environment than the existing system with no flow increase.

Is documentation in support of meeting this requirement attached? ☐ Yes ☐ No

Note: If any school with a design flow of 10,000 gpd up to 15,000 gpd is threatening public health, safety, and the environment pursuant to 310 CMR 15.304(2), a groundwater discharge permit will be required, unless DEP determines after consideration of factors set forth in 310 CMR 15.304(3) that this requirement would be manifestly unjust, and the owner/operator of the school has established that a level of environmental protection that is at least equivalent to that provided under 310 CMR 15.000 can be achieved without strict application of this requirement.

12. Is the variance requested for new construction? ☐ Yes ☐ No

13. Is the complete application submitted to the local authority attached? ☐ Yes ☐ No

14. The school is: ☐ Elementary
☐ Middle
☐ Secondary

B. Certification

"I certify under penalty of law that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Applicant's signature _____

Print Name _____

Name of Preparer _____

Date _____